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The Columbian Mirror AND ALEXANDRIA GAZETTE.

LEGISLATURE OF VIRGINIA.

A BILL TO AMEND THE PENAL LAWS OF THIS COMMONWEALTH.

WHEREAS all properly conſtituted governments are derived from the people, and each individual among them by the ſocial compact agrees to ſurrender no more of his rights than will be neceſſary for the ſecure enjoyment of the remainder, and conſequently cannot be ſuppoſed to have conſented to be puniſhed with death, for offences againſt the ſociety, except where his exiſtence ſhall have become abſolutely incompatible with the public ſafety; and therefore the puniſhment of death impoſed on any but the moſt heinous crimes, is a breach of the conditions, and a violation of the purpoſes for which government was inſtituted;

And whereas the exiſting criminal law in this commonwealth is pernicious and impolitic, inaſmuch as it puniſhes with equal rigor crimes of very different malignity, and by that means urges the offender, after once tranſgreſſing the bounds of right, to ruſh forward to the extremes of iniquity; and in various inſtances by operating on the compaſſion of individuals, prevents them from proſecuting the delinquent for ſmaller offences; while at the ſame time it has an unhappy tendency to vitiate the minds of our citizens by accuſtoming them to ſcenes of barbarity and horror:

And whereas *certainty*, more than *degree* of puniſhment prevents the perpetration of crimes, ſince offences are as ſeldom committed in thoſe countries where the ſeverity of former puniſhments has been mitigated, as in thoſe where torture and the rack are continued in their moſt rigorous operation:

And whereas the *continuance* of puniſhment operates more powerfully on mankind than its *rigor*; numbers being found hardy enough to brave the terrors of death, who would ſhrink from a continued ſeries of impriſonment, labor and ſolitude; and it is hoped that the addition of unremitted ſolitude to laborious employment, as far as can be effected, will contribute as much to reform the criminal as to deter others from ſimilar enormities:

Sect. I. *Be it therefore enacted*, that no crime whatſoever committed after the day of (except murder of the firſt degree) ſhall be puniſhed with death in this commonwealth.

Sect. II. And whereas the ſeveral offences which are included under the general denomination of murder, differ ſo greatly from each other in the degree of their atrociouſneſs, that it is unjuſt to involve them in the ſame puniſhment; *Be it further enacted*, that all murder which ſhall be perpetrated by means of poiſon, or by lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or which ſhall be committed in the perpetration or attempt to perpetrate any arſon, rape, robbery, or burglary, ſhall be deemed murder of the firſt degree; and all other kinds of murder ſhall be deemed murder of the ſecond degree; and the jury before whom any perſon indicted for murder ſhall be tried, ſhall, if they find ſuch perſon guilty thereof, aſcertain in their verdict whether it be murder in firſt or ſecond degree; but if ſuch perſon ſhall be convicted by confeſſion, the court ſhall proceed by examination of witneſſes to determine the degree of the crime, and to give ſentence accordingly.

Sect. III. *And be it further enacted*, That every perſon liable to be proſecuted for petit treaſon, ſhall in future be indicted, proceeded againſt and puniſhed as is directed in other kinds of murder.

Sect. IV. Every perſon duly convicted of the crime of high treaſon, ſhall be ſentenced to undergo a confinement in the gaol and penitentiary houſe herein after mentioned for a period not leſs than ſix nor more than twelve years, at the diſcretion of the court before whom ſuch conviction ſhall be, and ſhall be kept therein at hard labor or in ſolitude, and ſhall in all things be treated and dealt with as is herein after directed. Every perſon duly convicted of the crime of arſon, or as being an acceſſary thereto, ſhall be ſentenced to undergo a ſimilar confinement for a period not leſs than five nor more than twelve years, at the diſcretion of the court before whom ſuch conviction ſhall be, under the ſame conditions as are herein after directed. Every perſon duly convicted of the crime of rape, or as being acceſſory thereto before the fact, ſhall be ſentenced to undergo a ſimilar confinement for a period of time not leſs than ten years nor more than twenty-one years, at the diſcretion of the court before whom ſuch conviction ſhall be under the ſame conditions as are herein after directed. Every perſon duly convicted of the crime of murder in the ſecond degree, ſhall be ſentenced to undergo a ſimilar confinement for a period not leſs than five years nor more than eighteen years, under the ſame conditions as are herein after directed.

Sect. V. Every perſon convicted of robbery or burglary or as acceſſory thereto before the fact, ſhall reſtore the thing robbed or taken to the owner or owners thereof, or ſhall pay to him her or them the full value thereof, and be ſentenced to undergo a ſimilar confinement for a period not leſs than three nor more than ten years, at the diſcretion of the court before whom ſuch conviction ſhall be, under the ſame conditions as are herein after directed.

Sect. VI. Every perſon convicted of horſe ſtealing, or acceſſory thereto before the fact, ſhall reſtore the horſe, mare, or gelding, ſtolen to the owner or owners thereof, or ſhall pay to him, her, or them the full value thereof, and alſo undergo a ſimilar confinement for a period not leſs than two nor more than ſeven years, at the diſcretion of the court before whom ſuch conviction ſhall be, under the ſame conditions as are herein after directed. Every perſon convicted of ſimple larceny to the value of four dollars and upwards, or as acceſſory thereto before the fact, ſhall reſtore the goods or chattles ſo ſtolen to the right owner or owners thereof, or ſhall pay to him or them the full value thereof, or ſo much thereof as ſhall not be reſtored; and moreover ſhall undergo a ſimilar confinement for a period not leſs than one, nor more than three years, at the diſcretion of the court before whom ſuch conviction ſhall be, under the ſame conditions as are herein after directed.

Sect. VII. If any perſon ſhall feloniouſly take, ſteal, and carry away any goods or chattels under the value of four dollars, the ſame order and courſe of trial ſhall be had and obſerved as for other ſimple larcenies, and he, ſhe, or they being thereof legally convicted, ſhall be deemed guilty of petty larceny, and ſhall reſtore the goods and chattels ſo ſtolen or pay the full value thereof to the owner or owners thereof, and be further ſentenced to undergo a ſimilar confinement for a period not leſs than ſix months nor more than one year, at the diſcretion of the court before whom ſuch conviction ſhall be, and the ſame conditions as are herein after expreſſed.

Sect. VIII. Robbery or larceny of obligations or bonds, bills obligatory, bills of exchange, promiſſory notes for the payment of money, lottery tickets, paper bills of credit, certificates granted by or under the authority of this commonwealth, or of the United States, or any of them, ſhall be puniſhed in the ſame manner as robbery or larceny of goods and chattels.

Sect. IX. Every perſon who ſhall be convicted of having falſely forged and counterfeited any gold or ſilver coin, which now is, or hereafter ſhall be paſſing or in circulation within this ſtate, or of having falſely uttered, paid, or tendered in payment, any ſuch counterfeit and forged coin, knowing the ſame to be forged and counterfeit, or having aided, abetted, or commanded the perpetration of either of the ſaid crimes, or ſhall be concerned in printing, ſigning, or paſſing any counterfeit notes of the Banks of Alexandria or the United States, knowing them to be ſuch, or altering any genuine notes of either of the ſaid banks, ſhall be ſentenced to undergo a confinement in the gaol and penitentiary houſe herein after mentioned, not leſs than four nor more than fifteen years, at the diſcretion of the court before whom ſuch conviction ſhall be, and ſhall be kept, treated, and dealt with in manner herein after directed, and ſhall alſo pay ſuch fine as the court ſhall adjudge, not exceeding one thouſand dollars.

Sect. X. Whoſoever on purpoſe and of malice aforethought, by lying in wait, ſhall unlawfully cut out or diſable the tongue, put out an eye, ſlit the noſe, cut off the noſe, ear, or lip, or cut off or diſable any limb or member of another, with intention in ſo doing to maim or diſfigure ſuch perſon, or ſhall voluntarily, maliciouſly, and of purpoſe, pull or put out an eye while fighting or otherwiſe, every ſuch offender, his or her aiders, abettors and counſellors, ſhall be ſentenced to undergo a confinement in the ſaid gaol and penitentiary houſe for any time not leſs than two nor more than ten years, at the diſcretion of the court before whom ſuch conviction ſhall be, and ſhall be kept, treated, and dealt with in manner herein after mentioned, and ſhall alſo pay a fine not exceeding one thouſand dollars, three-fourth parts whereof ſhall be for the uſe of the party grieved.

Sect. XI. Whoſoever ſhall be convicted of any voluntary manſlaughter, ſhall be ſentenced to undergo an impriſonment at hard labor and ſolitary confinement in the ſaid gaol and penitentiary houſe for any time not leſs than two, nor more than ten years, at the diſcretion of the court before whom ſuch conviction ſhall be, and to give ſecurity for his or her good behaviour during life, or for any leſs time, according to the nature and enormity of the offence; and for the ſecond offence ſhall be ſentenced to undergo an impriſonment at hard labor and ſolitary confinement in the ſaid gaol and penitentiary houſe for any time not leſs than ſix nor more than fourteen years, at the diſcretion of the court before whom ſuch conviction ſhall be.

Sect. XII. Whereſoever any perſon ſhall be charged with involuntary manſlaughter, happening in conſequence of an unlawful act, it ſhall and may be lawful for the Attorney General, or other perſon proſecuting the pleas of the commonwealth, with the leave of the court, to waive the felony, and to proceed againſt and charge ſuch perſon with a miſdemeanor, and to give in evidence any act or acts of manſlaughter, and ſuch perſon or perſons, on conviction, ſhall be fined or impriſoned in all caſes of miſdemeanor; of the ſaid Attorney General, or other perſon proſecuting the pleas of the commonwealth, may charge both offences in the ſame indictment, in which caſe the jury may acquit the party of one, and find him or her guilty of the other.

Sect. XIII. All claims to diſpenſation from puniſhment by benefit of clergy, ſhall be and are hereby forever aboliſhed; and every perſon convicted of any felony heretofore deemed clergyable, ſhall undergo an impriſonment at hard labor and ſolitary confinement in the ſaid gaol and penitentiary houſe for any time not leſs than ſix months and not more than two years, at the diſcretion of the court before whom the conviction ſhall be, and ſhall be treated and dealt with as is directed hereafter, except in thoſe caſes where ſome other ſpecific penalty is preſcribed in this act.

Sect. XIV. Every perſon convicted of murder of the firſt degree, his or her aiders, abettors and counſellors, ſhall ſuffer death by hanging by the neck.

Sect. XV. Every other felony, miſdemeanor or offence whatſoever, not provided for by this act, may and ſhall be puniſhed as heretofore.

Sect. XVI. The executive of this commonwealth are hereby requeſted as ſoon as may be, to cauſe as much land in or near the city of Richmond, to be purchaſed for the uſe of the commonwealth, as will be ſufficient for the building of a gaol and penitentiary houſe, which ſhall be conſtructed of brick or ſtone, upon ſuch plan, as will beſt prevent danger from fire, and ſufficient to contain with convenience two hundred convicts at leaſt, with a yard ſufficiently capacious adjoining thereto, for the ſaid convicts occaſionally to walk about and labor in, which ſaid yard ſhall be ſurrounded by walls of ſuch heighth, as without unneceſſary excluſion of air will be ſufficient to prevent the eſcape of the priſoners.

Sect. XVII. The executive are hereby alſo requeſted to cauſe a ſuitable number of cells to be conſtructed in the yard of the ſaid gaol, each of which cells ſhall be ſix feet in width, eight feet in length, and nine feet in heighth, and ſhall be conſtructed of brick or ſtone, upon ſuch plan as will beſt prevent danger from fire, and the ſaid cells ſhall be ſeparated from the common yard, by walls of ſuch heighth, as without unneceſſary excluſion of air and light, will prevent all external communication, for the purpoſe of confining therein the offenders who may be ſentenced to ſolitary confinement by virtue of this act.

Sect. XVIII. And for the purpoſe of defraying the expence of purchaſing ſuch land, and of erecting ſuch gaol, cells, and walls, the Governor, by and with the advice of council, ſhall be, and is hereby, authoriſed from time to time to draw from the treaſury, a ſum not exceeding thouſand dollars, to be paid out of any monies which may be in the treaſury unappropriated to other purpoſes, and ſhall from time to time cauſe to be laid be-

of the expenditure of the same.

Sect. XIX. The said gaol and cells shall be appropriated to the purpose of confining such males and females as shall have been convicted of the offences above enumerated as punishable with imprisonment and labor; but the males and females are hereby required to be kept separate and apart from each other; and all the prisoners shall be subject to the visitation and superintendence of the inspectors herein after appointed.

Sect. XX. Every person convicted after the day of in any district court in this state, of any crime (except murder of the first degree) herein before specified, shall as soon as possible after conviction, be safely removed and conveyed by the sheriff of the county or serjeant of the corporation in which the crime or offence shall have been committed, and at the expence of the commonwealth, to the said gaol and penitentiary house, and therein be kept during the term of their confinement, in the manner and on the terms herein after mentioned. And every sheriff or serjeant who shall neglect to remove and safely deliver at the gaol aforesaid such convict, shall forfeit and pay the sum of one hundred dollars, to be recovered in any court of record, and applied, one half to the use of the county or corporation where the offence was committed, the other to such person as shall sue for the same.

Sect. XXI. Every person convicted of any of the crimes aforesaid, and who shall be confined in the gaol and penitentiary house aforesaid, shall be placed and kept in the solitary cells thereof, on low and coarse diet, for such part or portion of the term of his or her imprisonment, as the court in their sentence shall direct and appoint; provided, that it be not more than one half nor less than one twelfth part thereof; and that the inspectors of the said gaol shall have power to direct the infliction of the said solitary confinement at such intervals and in such manner as they shall judge best.

Sect. XXII. And whereas it is of importance that the nature of the offence and the former conduct and character of the convicts should be known by the said inspectors, *Be it further enacted*, that whensoever any person shall be convicted of any crime which now is capital or a felony of death, the court before whom such conviction is had, shall before their adjournment to another term, make and cause to be transmitted to the said inspectors, a report or short account of the circumstances attending the crime committed by such convict, particularly such as tend to aggravate or extenuate the same, and also what character the said convict appeared on the trial to sustain, and whether he had any time before been convicted of any felony or other infamous crime; which report the said inspectors shall cause to be entered in books or registers to be provided for that purpose.

Sect. XXIII. If any person convicted of any crime which now is capital, or a felony of death without benefit of clergy, shall commit any such offence a second time, and be thereof legally convicted; he or she shall be sentenced to undergo an imprisonment in the said gaol and penitentiary house at hard labor during life, and shall be confined in the said solitary cells at such times and in such manner as the inspectors shall direct: and if any person sentenced to hard labor and solitary confinement by virtue of this act, shall escape or be pardoned, and after his or her escape or pardon, shall be guilty of any such offence as now is capital, or felony of death without benefit of clergy, such person shall be sentenced to undergo an imprisonment for the term of twenty-five years, and shall be confined in the solitary cells aforesaid at the discretion of the said inspectors.

Sect. XXIV. If any person after the day of shall be convicted of any crime, committed before the said day, he or she shall be sentenced to undergo such pains and punishment as by law should be inflicted for the like offence committed subsequent to the said day; unless such convict shall openly pray the court before whom such conviction shall be had, that sentence may be pronounced agreeably to the provisions of this act for the like offence; in which case the said court shall comply with the said prayer, and pass such sentence on such convict as they would have passed, had the said offence been committed subsequent to the said day.

Sect. XXV. No person indicted for any crime, the punishment whereof is altered by this act, shall lose any peremptory challenge, to which he or she would have been entitled, had this act not been passed, nor be liable to be tried in any other courts than these in which they now are or may be tried for the same offences.

Sect. XXVI. In order to prevent the introduction of contagious disorders, every person who shall be ordered to hard labor in the said gaol, shall be separately lodged, washed and cleaned; and shall continue in such separate lodging, until it shall be certified by some physician that he or she is fit to be received amongst the other prisoners, and the clothes in which such person shall then be clothed, shall either be burnt, or at the discretion of two of the said inspectors, be baked, fumigated, or carefully laid by until the expiration of the term for which such offender shall be sentenced to hard labor, to be then returned to him or her.

Sect. XXVII. All such convicts shall, at the public expence, during the term of their confinement, be clothed in habits of coarse materials, uniform in color and make, and distinguishing them from the good citizens of the Commonwealth; and the males shall have their heads and beards close shaven at least once in every week, and all such offenders shall during the said term, be sustained upon bread, Indian meal, or other inferior food at the discretion of the said inspectors, and shall be allowed two meals of coarse meat in each week, and shall be kept, as far as may be consistent with their sex, age, health, and ability to labor, of the hardest and most servile kind, in which the work is least liable to be spoiled by ignorance, neglect or obstinacy, and where the materials are not easily embezzled or destroyed; and if the work to be performed is of such a nature as may require previous instruction, proper persons for that purpose, to whom a suitable allowance shall be made, shall be provided by order of any two of the inspectors hereafter named; during which labor the said offenders shall be kept seperate and apart, from each other, if the nature of their several employments will admit thereof; and where the nature of such employment requires two or more to work together, the keeper of the said gaol or one of his deputies shall if possible be constantly present.

Sect. XXVIII. Such offenders unless prevented by ill health, shall be employed in work every day in the year except Sundays, and such days when they shall be confined in the solitary cells; and the hours of work in each day shall be as many as the season of the year, with an interval of half an hour for breakfast, and half an hour for dinner, will permit, but not exceeding eight hours in the months of November, December, and January; nine hours in the months of February and October, and ten in the rest of the year; and when such hours of work are passed, the working tools, implements and materials, or such of them as will admit of daily removal, shall be removed to places proper for their safe custody, until the hour of labor shall return.

Sect. XXIX. The keeper of the said gaol shall from time to time, with the approbation of any two of the inspectors herein after mentioned, provide a sufficient quantity of stock and materials, working tools and implements for such offenders, for the expence of which the said inspectors or any two of them shall be, and they are hereby authorised to draw orders, to be accountable, at the treasurer of this commonwealth, for such sum, not exceeding in such orders the quantity and nature of the materials, tools or implements wanted, which orders the said treasurer is hereby required to discharge out of any money which may be at that time in the treasury; for which materials, tools and implements, when received, the said keeper shall be accountable; and the said keeper shall with the approbation of any two of the said inspectors, have power to make contracts with any person whatever, for the cloathing, diet, and all other necessaries for the maintenance and support of such convicts, and for the implements and materials of any kind of manufacture, trade, or labor, in which such convicts shall be employed, and for the sale of such goods, wares, and merchandize as shall be there wrought and manufactured; and the said keeper shall cause all accounts concerning the maintenance of such convicts and other prisoners to be entered regularly in a book or books to be kept for that purpose, and shall also keep separate accounts of the stock and materials so wrought, manufactured, sold, and disposed, and the monies for which the same shall be sold, and when sold, and to whom, in books to be provided for those purposes; all which books and accounts shall be at all times open for the examination of the said inspectors, and shall be regularly laid before them at their quarterly or other meetings, as herein after is directed, for their approbation and allowance.

Sect. XXX. If the said inspectors at their quarterly or other meetings shall suspect any fraudulent or improper charges, or any omission in any such accounts, they may examine upon oath or affirmation the said keeper, or any of his deputies, servants or assistants, or any person of whom any necessaries, stock, materials, or other things have been purchased for the use of the said gaol, or any persons to whom any stock or materials wrought or manufactured therein have been sold, or any of the offenders confined in such gaol, or any other person or persons concerning any of the articles contained in such accounts, or any omission thereout, and in case any fraud shall appear in such accounts, the particulars thereof shall be reported by the said inspectors to the mayor of the city of Richmond, for the purposes herein after mentioned.

Sect. XXXI. In order to encourage industry as an evidence of information, seperate accounts shall be opened in the said books for all convicts sentenced to hard labor for six months and upwards, in which such convicts shall be charged with the expences of clothing and subsistence, and such proportionable part of the expences of the raw materials upon which they shall be employed, as the inspectors, at their quarterly or other meetings, shall think just, and shall be credited with the sum or sums from time to time received by reason of their labor, and if the same shall be found to exceed the said expences, the said excess shall be laid out in decent raiment for such convicts at their discharge, or otherwise applied to their use and benefit, as the said inspectors shall upon such occasions direct; and if such offender at the end or other determination of his term of confinement, shall labor under any acute or dangerous distemper, he shall not be discharged unless at his own request, until he can be safely discharged.

Sect. XXXII. No person whatever, except the keeper, his deputies, servants, or assistants, the said inspectors, officers, and ministers of justice, ministers of the gospel, or persons producing a written license, signed by two of the said inspectors, shall be permitted to enter within the walls where such offenders shall be confined; and the doors of all the lodging rooms and cells in the said gaol shall be locked, and all light therein extinguished at the hour of nine, and one or more watchmen shall patrole the said gaol at least twice in every hour from that time until the hour of the next day.

Sect. XXXIII. The walls of the cells and apartments in the said gaol shall be white-washed with lime and water at least twice in every year, and the floors of the said cells and apartments shall be washed once every week, or oftener, if the said inspectors shall so direct, by one or more of the said prisoners in rotation, who at the discretion of the said keeper shall have an extra allowance of diet for so doing; and the said prisoners shall be allowed to walk and air themselves for such stated time as their health may require, and the said keeper shall permit; and if proper employment can be found, such prisoners may also be permitted with the approbation of two of the said inspectors to work in the yard, provided such airing and working in the yard be in the presence or within the view of the said keeper, or his deputies or assistants.

Sect. XXXIV. One or more of the apartments in the second story of the said gaol, and at the extreme end of the west wing, shall be fitted up as an infirmary, and in case any such offender being sick, shall upon examination of a physician be found to require it, he or she shall be removed to the infirmary, and his or her name shall be entered in a book to be kept for that purpose, and when such physician shall report to the said keeper that such offender is in a proper condition to quit the infirmary and return to his or her employment, such report shall be entered by the said keeper in a book to be kept for that purpose, and the said keeper shall order him or her back to his or her former labor, so far as the same shall be consistent with his or her state of health; and the mayor and aldermen of the city of Richmond shall from time to time appoint a physician to attend the said gaol.

Sect. XXXV. The keeper of the said gaol shall have power to punish all such prisoners guilty of assaults within the said gaol, when no dangerous wound or bruise is given, profane cursing and swearing or indecent behaviour, idleness or negligence of work, or wilful mismanagement of it, or if disobedience to the orders or regulations herein after directed to be made, by confining such offenders in the solitary cells of the said gaol, and by keeping them upon bread and water only for any term not exceeding two days; and if any such prisoner shall be guilty of any offence within the said gaol which the said keeper is not hereby authorised to punish, or for which he shall think the punishment is not sufficient, by reason of the enormity of the offence, he shall report the same to two of the said inspectors, who, if upon proper enquiry they shall think fit, shall certify the nature and circumstances of such offence, with the name of the offender to the mayor of the city of Richmond, and the mayor shall thereupon, order such offences to be punished by moderate whipping, or, repeated whipping, not exceeding thirty lashes each, or by close confinement in the said solitary cells with bread and water only for sustenance, for any time not exceeding six days, or by all the said punishments.

Sect. XXXVI. It shall be lawful for the governor with the advice of council, to appoint a suitable person to be keeper of the said gaol, who shall however be liable to be removed whenever occasion may require, in which case another shall, from time to time be appointed in like manner, who shall receive as a full compensation for his services, and in lieu of all fees and gratuities, by reason or under colour of the said office, so much as the governor with the advice of council, at the time such appointment shall be made, shall direct, to be paid in quarterly payments, by orders drawn on the treasury of this commonwealth by the auditor of public accounts, and also five per centum on the sales of all articles manufactured by the said criminals; and such keeper shall have power with the approbation of the governor and council, to appoint a suit

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able number of deputies not exceeding [illegible] at such reasonable allowances as the governor with the advice of council, shall think just, which allowances shall be paid quarterly in like manner; and before any such gaoler shall exercise any part of the said office, he shall give bond to the governor of the commonwealth, with two sufficient sureties, to be approved by the court of the city of Richmond, in the sum of two thousand dollars, upon condition that he, his deputies and assistants, shall well and faithfully perform the trusts and duties in them reposed; which said bond, being executed before, and certified by the said court, shall be recorded therein, and copies thereof, attested by the clerk of the said court, shall be legal evidence in all courts of law in any suit against such gaoler or his deputies,

Sect. XXXVII. It shall be lawful for the said court of the city of Richmond at the first court after the time when the said gaol shall be erected agreeably to the directions of this act, to appoint twelve inspectors, six of whom shall be in office for six months, and six for twelve months, and so during every succeeding six months, six inspectors shall be appointed by the said court, who shall be in office for twelve months; and if any person so appointed, not having a reasonable excuse, to be approved of by the said court, shall refuse to serve in the said office, he shall forfeit and pay the sum of thirty dollars; to be recovered by action of debt, the one half to the use of the person suing, the other half to be paid to the treasurer of this commonwealth; to be applied on the purposes herein before mentioned.

Sect. XXXVIII. The said inspectors, seven of whom shall be a quorum, shall meet once in three months in an apartment to be provided for that purpose in the said gaol, and may be specially convened by the two acting inspectors when occasion shall require; and they shall at their first meeting appoint two of their members to be acting inspectors, who shall continue such for such time as shall be directed by the said inspectors, or a majority of them, when met together. And the *acting* inspectors shall attend the said gaol at least once in each week, and shall examine into and inspect the management of the said gaol and the conduct of the said keeper and his deputies, so far as respect the said offenders employed at hard labor and the directions of this act, and shall do and perform the several matters and things herein before directed by them to be performed.

Sect. XXXIX. The board of inspectors at their quarterly or other meeting, shall make such other and further order and regulations for the purposes of carrying this act into execution as shall be approved of by the executive; and such orders and regulations shall be hung up in at least six of the most conspicuous places in the said gaol, and if the said keeper or any of his deputies or assistants shall obstruct or resist the said inspectors or any of them in the exercise of the powers and duties vested in them by this act, such person shall forfeit and pay the sum of sixty dollars, to be recovered as aforesaid, and shall moreover be liable to be removed in manner aforesaid from his respective office or employment in the said gaol.

Sect. XL. The said keeper of the gaol, his deputies and assistants, in case any of the said offenders shall escape from confinement without the knowledge or consent of the said keeper, his deputies or assistants, shall forfeit and pay the sum of thirty dollars, to be recovered and applied in manner aforesaid: Provided, that nothing in this act contained shall be deemed or taken to extend to escapes voluntarily suffered by the keeper of the said gaol.

Sect. XLI. If any such offender sentenced to hard labor, shall escape, he or she on conviction thereof shall suffer such additional confinement and hard labor, agreeably to the directions of this act, and shall also suffer such additional corporal punishment, not in which such offender shall have been convicted, shall adjudge and direct.

Sect. XLII. If the gaoler or any other person, shall introduce into, or give away, barter, or sell within the said gaol any spirituous or fermented liquors, except only such as the said keeper shall make use of in his own family, or such as may be required for any prisoners in a state of ill health, and for such purpose prescribed by an attending physician and delivered into the hands of such physician or other person appointed to receive them, such person shall forfeit and pay the sum of twenty dollars, one moiety thereof to the use of the person suing, the other moiety to be paid to the said inspectors for the purposes in this act contained.

Sect. XLIII. Slaves, guilty of any offence punishable in others by this act, by hard labor and imprisonment, shall be transported to such part of the West-Indies or South America, as the Governor shall direct, to be there sold for the best price that can be obtained, and the amount of such sales to be applied so far as will go, after deducting the price of such transportation in discharge of the value of such slaves, which value the courts are hereby empowered still to affix on the condemnation of any such slave.

Sect. XLIV. Slaves arraigned for criminal offences, shall be entitled to trial by jury, and be allowed the same challanges as are allowed to others in similar cases.

Sect. XLV. All acts and parts of acts coming within the purview of this act, shall, on the operation of this act, be thereby repealed.

Sect. XLVI. So much of this act as respects the purchase of land, and building thereon the above mentioned gaol and cells, shall commence and be in force from the passing thereof. The other parts thereof shall remain suspended in their operation until the governor by advice of council, shall issue his proclamation declaring the said gaol to be in a situation fit to receive offenders, when the said other parts of this act shall commence and be in operation.

PUBLIC SALE.

On Tuesday next at 10 o'clock, will be sold at the Vendue Store, for cash,

Two likely Negro Boys,

slaves for life; who can be well recommended for their honesty and sobriety,—one of them aged about 22, and the other about 17 years.

Also, a Billiard Table, on a credit.

MARSTELLER & SONS.

January 7

Very great Bargains.

THE public are informed that the Goods remaining on hand at the Store under the direction of the subscriber, opposite to M'Knight's tavern will henceforth be sold at prices reduced below the very moderate terms at which they have heretofore been sold. The proprietor being desirous of closing the sales speedily, will accomodate retailers with a credit.

January 7. tf

NOTICE.

THE Partnership of MATTHEW ROBINSON & CO. is this day dissolved by mutual consent, all those who have any claims against the same, will please to apply as speedily as possible, and those who are indebted to us are requested to make payment to Matthew Robinson, who will settle all accounts and transactions of the above partnership.

MATTHEW ROBINSON,
JOHN WHITE.

N. B. The business in future will be carried on by Matthew Robinson, who has on hand a good assortment of Wet and Dry Goods, with a general assortment of Stone and Glass ware, which he will sell upon the lowest terms for cash or the usual credit.

January 7. aw

FOR SALE AT THIS OFFICE,

A FEW OF

The President's Address,

Price 3-16ths of a Dollar.

Alexandria, January 7.

ELECTION RETURNS

FOR

PRESIDENT AND VICE-PRESIDENT.

	Adams.	Jeff.	Pinck.	Burr.
N. Hampshire,	6	0	0	0
Massachusetts,	16	0	13	0
Rhode-Island,	4	0	0	0
Connecticut,	9	0	4	0
Vermont,	4	0	4	0
New-York,	12	0	12	0
Pennsylvania,	1	14	2	13
New-Jersey,	7	0	7	0
Delaware,	3	0	3	0
Maryland,	7	4	4	3
Virginia,	1	20	1	1
N. Carolina,	1	11	1	6
S. Carolina,	0	8	8	0
Georgia,	0	4	0	0
Tenessee,	0	3	0	3
	71	64	59	26

We hear from Kentuckey that the votes of that state, being 4 in number, were given unanimously for Mr. Jefferson and Mr. Burr.

The schooner Nancy, of Alexandria, Capt. Palmer, was at Gibraltar the 15th October.

A letter from a gentleman at Martinique to his friend here, mentions, that the merchants there were in great consternation in consequence of the approach of a peace between France and Great Britain; in which event, it was generally believed, that that island would be returned to the former power—That dry goods were a mere drug, and that those who had them were endeavoring to push them off as speedily as possible. Such an event, so devoutly to be wished, may be nearer at hand than most of us are aware of, and should not be altogether held improbable, until we know what impression the last pacific overtures of Great Britain have made on the executive directory.

It appears by accounts from Jamaica, that the Molucca Islands, in the East Indies, have been taken by the British forces.

Extract from a letter from Boston, dated Dec. 22, to a gentleman in New-York.

"Within a day or two past, it has been discovered that there are a great number of forged 50 and 5 dollar bills of the United States Bank in circulation. They are exceedingly well executed. This is written to caution you against remitting me any of either of those denominations, as you cannot pass them here at any rate."

Extract of a letter from an American gentleman, dated Cape Francois, November 29, to his friend in Philadelphia, received by the Medusa frigate, commodore Barney.

"I would give you a sketch of politics, but as you will soon see an address "To the merchants, and others whom it may concern, citizens of the United States," published in your papers, setting forth the embarrassed state of our commerce—the unjust capture of our vessels—the bad prospect of being paid—the conduct of the commissioners, &c. &c. &c. &c. renders an account from me unnecessary. I will however observe, that they seem *determined to make us take a part with or against them; they will let us remain neuter no longer.* They are capturing all our vessels bound to and from British ports, taking all cargoes by force, where the captain or consignee refuse to sell to them.

"They have laid a very heavy duty upon all goods imported into the island; the duty is by weight, and not

FROM THE GAZETTE OF THE UNITED STATES.

Mr. Fenno,

Some of the wise-acres of Baltimore have thought proper to compliment a man, who has *publicly pronounced*, That he has orders from the *French Directory* to *destroy* even the *trade of their city*—and who is an avowed *agent* in promoting measures *unfriendly* to the *peace* and *independence* of *his country*—Do these complimenters know, that should captain Barney seize the property of citizens of the United States on the high seas, in following a trade *authorised by treaty with France*, and send their vessels into French ports for adjudication, and should ever return to this country; he may share the fate at last of the English admiral who seized the property of English ships at St. Eustatia, during the war between the United States and Great Britain.

Does Capt. B. think that he can *take off* and *put on* as *interest* or *caprice* may dictate—the *character of American citizens?*

NEW-YORK, JANUARY 2.

We are informed by captain Cutter, of the brig Almy, that off the east end of Jamaica, he was taken by two French privateers, the one of which was the Flying Fish, built at Baltimore, and owned by John Love, who afterwards sold her to her present owner, at the Cape, and then went captain of her. He fired upwards of 30 shot at the Almy, without hailing her, although lying to for 20 minutes before, American colours flying; he then hailed, and ordered the boat on board; which being done, he detained the mate, two seamen, the ship's register, and other papers, and sent a prize-master and 3 others, all armed, on board. They then hoisted in the boat, and stood for Gonaives. Next day were retaken by a British sloop of war, the Jamaica, captain Brooking, who took the Frenchmen out, and treated captain Cutter very handsomely, but carried him to Port Royal, on account of having no register, where she was detained only three days, and then suffered to proceed.—The privateers proceeded on their course. Captain Cutter had great reason to think, that the Frenchmen put on board him intended much worse usage, had he not fallen in with captain Brooking. The passengers will all vouch for the truth of the above.

NORWICH, DEC. 15.

The drought is so severe in some parts of New-Hampshire and Vermont, that the inhabitants are obliged to transport water for themselves and stock to drink, from five to twelve miles.

A Mathematical School

is opened by E. HOGAN, in a large and commodious room in the house of Mr. John Duffey, Fairfax-street, next door to Mr. B. Hampton's.

The content of Land ascertained agreeable to the Pennsylvania method of calculation, and embellished maps rendered on very reasonable terms.

January 7.

ANDREW WALES

Takes this method of acquainting his friends and the public in general,

THAT HE HAS FOR SALE,

AT HIS BREWERY,

Strong and Small Beer.

He has also GRAINS and YEAST for sale, and continues to purchase Barley as usual.

December 20. awgw

VENDUE.

ON TUESDAY and FRIDAY, in every week, (if fair, if not the next fair morning) will be exposed for sale at the Vendue Store (corner of Prince and Water streets)

A VARIETY OF

WET & DRY GOODS.

Of which the particulars will be given previous to the sale.

The VENDUE MASTERS will always keep the Store open for the reception of GOODS, and selling of such articles therein between the times of public sales as may be on limitation. They likewise offer their services in transacting any kind of Commission Business.

MARSTELLER & SONS.

April 5th, 1796.

TO BE SOLD,

At Public Vendue, on Thursday the 6th of April next, at Dougherty's tavern, in the town of Winchester, in Virginia, the following Lands, situate in the said state, viz.

No. 1—430 Acres

Of excellent land, on the waters of Back-creek, in Frederick county, on the great road leading to the South Branch, about 10 miles from Winchester, 100 acres of which is rich bottom, a fine stream running through it, with several springs, the trees in the bottom are chiefly sugar maple, black walnut, hickory and locust. There are a log dwelling and out-houses, some meadow made, and about 40 acres of upland cleared. On this tract there is a good mill-seat, where an under-shot mill might be erected.

No. 2.—800 Acres,

Situate in Hampshire county, on the north branch of the Potomac, and on a branch called Cabbin Run, about 8 miles from Fort Cumberland. On this track is a large quantity of rich bottom, fit for meadow or the culture of hemp, the upland remarkable good, being chiefly timbered with walnut and hickory. The above tract is in two surveys of 400 each.

No. 3.—200 Acres,

Situate in Franklin county, about ten miles from Winchester. On this tract there is a dwelling house, and part of the land is cleared, the remainder is finely timbered.

No. 4.—A Lot of Ground,

In the town of Woodstock, Shanandoah county, whereon is erected a two story house, and other improvements, and a ten acre lot for the conveniency of said town let.

No. 5.—250 Acres,

Situate about two miles from Woodstock. Part of this tract is in cultivation, is finely timbered, and a good quantity of meadow may be made.

No 6.—400 Acres,

Situate in Hampshire county, on George Ander's mill run, on a branch of the Cacapehon. This tract is finely timbered, there is good bottom land, which might be easily converted into meadow.

No. 7—One Moiety of 5000 Acres,

Lying on the Waters of Hughes's river, in Harrison county. This was purchased at one quarter of a dollar per acre cash above 8 years ago.

No. 8.—41,900 Acres,

Lying in the counties of Wythe, Washington, and Grayson, (the greater part in Wythe,) on the waters of Cripple creek and Fox creek, branches of New river, and on the south side of Holstein.

No. 9.—10,000 Acres,

Lying in the county of Hardy, on the waters of Great Cacapion and North River.

The terms of payment will be one third part of the purchase money to be paid in hand at the time of executing the deed or deeds of conveyance, the remaining two thirds to be paid in equal instalments, at 12, 18, and 24 months thereafter, securing those payments by mortgaging the premises.

Should any person wish to purchase at private sale, application may be made to John Holker, Esq. near Winchester; David Holmes, Esq. of Winchester; or by letters (post paid), to the subscriber in Philadelphia, being the owner of said lands, who will personally attend the sale on the day above mentioned.

GEORGE MEADE.

Philadelphia, 29th Oct. 1796.

LISBON WINE

In Pipes, Hogsheads and Quarter-casks, For Sale by

KEMP HURST and CO.

Nov. 10.

For Charter,

THE BRIG

Virginia,

Burthen 300 hhds of tobacco.—For terms apply to

SHREVE & LAWRASON.

Who have for Sale—Queen's ware in crates, well assorted; glass ware; double Gloucester cheese in hampers; Liverpool salt in sacks and loose; pipes in boxes; pearl barley in kegs; bar lead; candles by the box

Oct. 18. tf.

JAMES KENNEDY,

KING-STREET,

RETURNS his sincere thanks to those who have been pleased to favour him since his commencement in business, and respectfully acquaints them, that for the accommodation of such of his friends as may live in that quarter he has opened store at the corner of Prince and Water streets adjoining the Vendue, where he purposes to keep a general assortment of Goods in the Wet Good line of the best quality, and at the most reasonable rates. He has at present a variety of best and freshest teas—in particular fine Padra Souchong much esteemed in Europe—Sugars, Coffee, Chocolate, Spirits, Wine, Fruits, refined Saltpetre, and mould candles of a superior quality. In a few days he expects to have a general assortment of Glass and Queen's Ware, with which he will be constantly supplied.

The business will be carried on in King street as usual; where he has for sale a number of French and English Books of the first reputation in various branches of literature.

January 5. 1m

JUST RECEIVED,

AND FOR SALE AT

Lewis Hart's Book Store,

FAIRFAX STREET,

In the House belonging to Mr. James M. M'Rea,

The following New Publications.

	Cents.
THOMAS PAINE's Letter to George Washington, price,	25
A letter to certain Bank Directors, by a merchant,	12½
Peter Porcupine's Political Censor, for November, 1796,	31
Smith's political almanac for the pocket,	50
Wonderful Magazine, 5 vol. 8vo. 15 dol.	
Beauties of all the magazines, 5 nos.	1 25
German Testaments, Psalm Books and Bibles, Playing Cards of the best quality, and a variety of Song Books, Novels, &c.	

He will be constantly supplied with new publications—Political, Miscellaneous, and Literary. January 5.

Notice.

THE public is hereby cautioned against taking an assignment on two bonds of mine, the one payable to Hugh Stewart and Samuel Love for sixty six pounds two shillings and ten pence; the other for nine pounds, sixteen shillings or there abouts, payable to Benjamin Hutchinson, and assigned by him to the said Stewart and Love, as I have paid the same, and cannot obtain them. I have thought this caution proper to prevent trouble.

JAS. LANE TRIPLETT.

January 3. 3w

IN order to comply with contracts, I will sell for approved bonds, on three equal annual payments, a square of Lots at the upper end of Fredericksburg, beginning opposite to the lower corner of Dr. Weford's on Caroline Street, and running up the cross street leading to Fitzhugh's ferry, and from thence back to Sophia street. This square I have laid off into 24 lots, 27½ feet front, and 122 back; 12 on Caroline street, and 12 on Sophia street. Nine of those on Caroline street I have leased on an annual ground rent of 8 or 10 pounds, to the amount of 74 pounds, and the vacant lots a purchaser could enhance the value of by building small houses, which will as readily procure tenants as pots or gourds will marine in the spring, and yield a greater profit in proportion to their cost than large buildings. Those who incline to purchase may know the terms by applying to

HENRY FITZHUGH.

Bell Air, Dec. 8.

I WILL take one or two young genteel men of good disposition, and respectable connexions, as students of medicine.

JAMES CRAIK.

December 25. 3wlw

Bank of Alexandria,

January 14, 1797.

NOTICE is hereby given to the Stockholders of the Bank of Alexandria, that a dividend of five per cent on the Capital Stock of the Bank, for the half year, ending this day is declared, and will be ready to be paid to them, or their representatives, on Thursday next the 5th inst.

By order of the President & Directors.

GURDEN CHAPIN, Cashier.

P. S. Those shares that have been subscribed since the 4th of July last, are entitled to a proportionate dividend.

GURDEN CHAPIN.

Bank of Alexandria,

December 14, 1796.

NOTICE is hereby given to the Stockholders of the Bank of Alexandria, that an election will be held at the Coffee house in this town, on the third Monday in January next, for the purpose of choosing nine Directors of the said bank for the ensuing year, agreeable to charter.

By order of the President and Directors.

GURDEN CHAPIN, Cashier.

Wood, and large White Oak Timber.

FOR SALE,

AT the subscriber's plantation, six miles from Alexandria, five to George-Town, and four to the river opposite to the Federal City, a quantity of wood, which he will sell standing, or corded in the woods, as may suit the purchaser. Also, a quantity of large White Oak Timber, such as will answer for gardens, and frames, &c. for houses; and likewise a quantity of Ship Timber, which I will sell at a low price as it stands on the land I mean to clear.

JOHN LUKE.

December 29. 4wlw

Twenty Dollars Reward

RAN AWAY from the subscriber on Wednesday last, the 28th December, a negro man named SAM, about 21 years of age, near six feet high, a stout active fellow, with a brazen countenance, a caulker and ship carpenter by trade. Had on when he went away, a Bath coating round jacket and trousers, the fore finger on one of his hands is much burnt.—It is expected that he has got a forged pass. The above reward will be paid on securing him in any jail, so that I get him again, and reasonable charges if brought home.

JOHN HUGHES.

January 3.

Caution.

I HEREBY caution the public against receiving a note of hand dated the 1st of October 1796, and given by me to John Dalton, for the sum of 326 dollars and 66 cents, payable the 1st of January, 1797, the said Dalton not having complied with contract, for which the note was given.

Whereas a proviso was annexed to the note, binding said Dalton to fulfil the contract, which proviso I find to have been clandestinely cut off, and therefore do not hold myself liable to pay it.

JOHN HODGKIN.

Jan. 3. 3

For Sale,

A Merchant, Grist, and Saw Mill, in the county of Loudoun, about ten miles from Leesburg, with about 800 acres of land, one half low ground, cleared, and under a good fence. The other half in woods. The Mill house is built of stone, two stories high, 56 feet long, and 40 wide, one pair of large burr stone, and a pair of short bilt stones, for country work. She is well calculated for merchant work, situate on Goose creek, on a never failing stream, about 30 miles from Alexandria, and the same distance from the Federal city. There is on the premises a good miller's house, store house, granery, and stable. The store house is well finished, a large stone chimney, with three fire plates, with a kitchen and cellar under the house, well adapted to the accommodation of a small family, and if not sold will be rented to any person that may apply. There is also on the premises another house not far from the mill, newly built, with two rooms, a stone chimney with two fire places, which will answer a family that may work the farm. One third part of the money to be paid down, the other two thirds in two yearly payments, to be secured, either by a mortgage on the premises, or personal security. Apply to the subscriber on the premises.

SIMON TRIPLETT.

December 18.

THE subscriber offers for sale the following valuable Property.—The Mills are situate in Jefferson county, known by the name of CHARLTON MILLS, containing 265 acres, about 70 of which are cleared and under good fencing, situate in Londoun County, Virginia, near the turnpike road leading from Alexandria to the Gap of the Blue Ridge, to Alexandria, from which place, the City of Washington, and George-Town, it is distant about 60 miles. The improvements are a large and well constructed Merchant Mill, with two water wheels and three pair of stones, two of which are burrs—the is in complete repair, with the whole of Evans's machinery, and is capable of manufacturing 300 barrels Flour per week. A saw Mill. A large new stone distillery, forty feet square, with a sufficient quantity of copper to make 50 gallons of spirits per day. A house for the distiller, miller, cooper, waggoner, and blacksmith, with their several shops, &c. A new frame dwelling House, two stories high, with two chimnies and four rooms, handsomely finished, with kitchen, stables, &c. The Mill and Distillery, in point of situation and convenience are inferior to none. Also, the following parcels of Land in Kentucky—10,000 acres on the Red River, in the county of Clarke; 6091½ acres on the waters of Big Sandy, in the county of Bourbon; 4,685 acres in Madison county, within 7 or 8 miles of the Court house; 3,910 acres on the waters of the Rolling Fork, in Nelson county; 3,600 acres on the waters of Sinking Creek, Lincoln county, on which there is a very valuable salt spring; and 7,500 acres, within three miles of Bullit's salt works. Also, a tract of Land in the county of Alleghany, and state of Pennsylvania, containing 500 acres, together with a waggon and team of 5 good young Horses. To any person who will purchase the whole of the above property, the terms will be easy and accommodating. Cash, lots in the Town of Alexandria, Alexandria Bank Stock, or Morris and Nicholson's paper will be taken in payment for the whole or any part.

JOSEPH LEWIS, Jun.

Clifton, Nov. 28. 12awep

French School.

MR. LEFEBVRE respectfully informs the Ladies and Gentlemen of Alexandria, and its vicinity, that he is now opening a School at Mr. Mat. F. Bowne's, Royal Street, for the purpose of teaching the French Language. He will also wait upon those at their own houses who find it inconvenient to attend his School.

Mr. Lefebvre hopes that his endeavours will be the more certain of success, as he was born and educated at Paris.

He also means to open an EVENING SCHOOL, from 6 to 9 o'clock, for those whose occupations prevent their attendance in the day. For further information please to apply to Mr. Lefebvre, at Dr. Orr's.

D-c. 8. 1mep.

Private Academy,

AS I am engaged in the education of my own children, I will admit as many scholars as I can faithfully instruct, and no more; and propose to teach Reading, the English Language grammatically, with the principles of Elocution and Composition, Writing, Spelling, Arithmetic, vulgar and decimal, Book-keeping, Mensuration of surfaces and solid bodies, Geography and the Classics.

I will also, if I meet with encouragement, open a separate class for young Ladies, to instruct them in English Grammar, Composition, particularly of letters, &c. Writing, Spelling, Geography, and such a plain system of Arithmetic and keeping accounts, as is peculiarly suited to housewifery.

Any parents or guardians, who incline to honour me with the instruction of their children or wards, may depend on their being respectfully treated; and that every possible exertion to bring them forward in their studies, will be made, by their most obedient servant.

JAMES WILSON,

Fairfax Street, 4 doors above the market-square. Dec. 8. 1m

NOTICE.

TO THE AMATEURS OF MUSIC.

A GENTLEMAN formerly from St. Domingo, intended to fix himself in this place, would be glad to take a few scholars to teach the Forte Piano, having been taught by the celebrated Pleyel and Nicolay's he hopes, by the rapid progress of his pupils to merit the encouragement he expects.

Enquire at Mr. Bowne's, near the Coffee House. January 5.

ALEXANDRIA—PRINTED, EVERY TUESDAY, THURSDAY, AND SATURDAY, BY ELLIS PRICE AND HENRY GIRD, JUN.